

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/717,738

Filed: November 20, 2003

1<sup>st</sup> Inventor: H. Odaka

For: Agent for Improving Acidosis

Atty. Dkt. No. 2596 US1P

Art Unit: 1614

Examiner: K. Weddington

Allowed:

Batch:

Paper No.:

**Supplemental Information Disclosure Statement**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, 1.97 and 1.98, Applicants' request consideration of the references listed on the attached form PTO-1449 under §1.97(c).

Applicants' herewith authorize the Commissioner to charge the Applicants' USPTO deposit account for the appropriate fee as set forth under 37 CFR §1.17(p) for submission of a supplemental Information Disclosure Statement.

Should the Examiner believe that a conference with Applicants' attorney would advance prosecution of this application, the Examiner is respectfully invited to call Applicants' attorney.

Respectfully submitted,

Dated: January 20, 2005

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Elaine M. Ramesh  
Elaine M. Ramesh, Ph.D., Reg. No. 43,032  
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Takeda Pharmaceuticals North America, Inc.  
Intellectual Property Department  
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U.S. Patent Application Serial No. 10/717,738



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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/717,738

Filing Date

November 20, 2003

First Named Inventor

H. Odaka

Art Unit

1614

Examiner Name

K. Weddington

Attorney Docket Number

2596 US1P

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):Return Postcard  
PTO Form PTO/SB/08A  
PTO Form PTO/SB/08B  
7 References**Remarks**The Commissioner is hereby authorized to charge any additional fees which may be required,  
or credit any overpayment to Deposit Account 500799.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Elaine M. Ramesh, Ph.D., JD

Signature

*Elaine M Ramesh*

Printed name

Elaine M. Ramesh

Date

1/20/05

Reg. No.

43,032

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 180.00

## Complete if Known

Application Number 10/717,738  
Filing Date November 20, 2003  
First Named Inventor H. Odaka  
Examiner Name K. Weddington  
Art Unit 1614  
Attorney Docket No. 2596 US1P

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 500799  
Deposit Account Name Takeda Chemical Ind. Ltd.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ )

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	18	
Independent Claims	-3** =	86	
Multiple Dependent		290	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 180.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Elaine M. Ramesh, Ph.D., JD  
Registration No. (Attorney/Agent) 43,032  
Telephone 847-383-3391  
Signature *Elaine M. Ramesh*  
Date 1/26/04

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/717,738
				Filing Date	November 20, 2003
				First Named Inventor	H. Odaka
				Art Unit	1614
				Examiner Name	K. Weddington
Sheet	1	of	1	Attorney Docket Number	2596 US1P

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Tanis, S. et al., "Synthesis and Biological Activity of Metabolites of the Antidiabetic, Antihyperglycemic Agent Pioglitazone", <u>Journal of Medicinal Chemistry</u> (1996) Vol.39, No. 26, pp. 5053-5063	
		Fulgencio, JP. et al., " Troglitazone Inhibits Fatty Acid Oxidation and Esterification, and Gluconeogenesis in Isolated Hepatocytes from Starved Rats", <u>Diabetes</u> (1996) Vol.45, pp. 1556-1562	
		Nomura, M. et al., "(3-Substituted Benzyl)thiazolidine-2,4-diones as Structurally New Antihyperglycemic Agents", <u>Bioorganic &amp; Medicinal Chemistry Letters</u> , (1999) Vol. 9, pp. 533-538	
		Foster, D. et al., "The Regulation of ketogenesis", <u>Ciba Foundation Symposium</u> (1982) No. 87, pp. 120-131	
		Liebich, H.M., "Gas Chromatographic Profiling of Ketone Bodies and Organic Acids in Diabetes", <u>Journal of Chromatography</u> (1986), Vol. 379, pp. 347-366	
		Berger, W., "Diabetic Emergencies", <u>Schweiz Rundsch Med. Pract.</u> (1997), Vol. 86, No. 8, (Abstract Only)	✓

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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